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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/093,958	06/08/98	KEITH	J MS1-230US

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TM11/0508

EXAMINER

NGUYEN, L

ART UNIT

PAPER NUMBER

2166

11

DATE MAILED:

05/08/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**



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TM02/1109

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*6*

# Office Action Summary

Application No.

09/093,958

Applicant(s)

KEITH ET AL.

Examiner

Leslie K. Nguyen

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4-7,9,10. 20) ☐ Other:

***Detailed Action***

1. Claims 1-19 have been examined and are pending in the application.

***Specification***

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-19 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. Claim 5 is rejected under 35 U.S.C. 102(e) as being anticipated by Kolling in U.S. Pat. No. 5,963,925.

As per claim 5, Kolling discloses an electronic billing system in which a biller submits billing data to a service center and the service center generates billing statements from the billing data and electronically distributes the billing statements to consumers on behalf of the biller (col. 7, line 25 – col. 8, line 25). The electronic billing system of Kolling is used to manage transfer of the billing data to the service center and to track status of the billing data as it is transferred (col. 8, line 40 – col. 12, line 41). Although Kolling does not explicitly state that a parcel manager application exists and is executed on a biller computer system, the Examiner observes that the system of Kolling comprises computers (FIG. 3). Therefore, it is inherent that a computer application exists to perform the above mentioned functions of the invention of Kolling.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-4 and 6-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolling in U.S. Pat. No. 5,963,925.

As per claim 1, Kolling discloses a parcel manager system (electronic statement presentment system 200) for managing transfer of data from a local computer to a remote computer. Although Kolling does not explicitly state that a parcel manager application exists and is embedded on a computer readable medium, the Examiner observes that the system of Kolling comprises computers (FIG. 3). Therefore, it is inherent that a computer readable medium and an application exist to perform the parcel manger tasks of managing transfer of data from a local computer to a remote computer.

Kolling does not disclose that the parcel manger comprises an interface object to present an interface into the parcel manager from one or more external applications. The Examiner takes Official Notice and asserts that it is well known to use interface objects such as icons to access an application from one or more external applications. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the well-known teaching into the invention of Kolling to provide means for the user to access the parcel manger application.

Kolling does not disclose a parcel manager object created via a first function presented by the interface object, the parcel object providing functionality to place the data in one or more parcel components for transferring to the remote computer. The Examiner takes Official Notice and asserts that it is well known to bundle data into packets in order to facilitate the transfer of data from one computer to another. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the well-known teaching into the invention of

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Kolling to organize the billing data of Kolling via the parcel object prior to transfer to a customer.

Further, Kolling does not disclose a notification object created via a second function presented by the interface object in response to a request from an external application, the notification object providing functionality to track a status of the parcel object as the parcel components are transferred to the remote computer. The Examiner takes Official Notice and asserts that it is well known in the art of networking (and more specifically with networking protocols like TCP/IP) for acknowledgement messages to be sent as data is being transferred from a host computer to a remote computer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate this well-known teaching into the invention of Kolling in order to assure data is properly received by a remote computer.

As per claim 2, Kolling discloses a parcel manager as addressed above. However, Kolling does not disclose that the parcel manager comprises a bulletin object to hold update information regarding a parcel object. The Examiner takes Official Notice and asserts that it is well known in the art of networking to create and manage update objects. Kolling provides motivation for updating information on col. 6, lines 1-24. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the well-known teaching into the invention of Kolling in order to provide means for updating information necessary for providing accurate data to a user.

As per claim 3, Kolling discloses a parcel manager as addressed above. However, Kolling does not disclose that the parcel manager comprises a monitor object created by the notification object to check for the presence of the parcel components. The Examiner takes

Official Notice and asserts that it is well known in the art of networking to use packet headers as means for checking the presence of proper data within the packet. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate this well-known teaching into the invention of Kolling in order to assure data is properly received by a remote computer.

As per claim 4, Kolling discloses a parcel manager as addressed above. However, Kolling does not disclose that the parcel manager comprises a parcel database object to add and retrieve information regarding the parcel object in a database. The Examiner takes Official Notice and asserts that it is well known in the art of database management to create and manage database objects, which provide means for adding and retrieving data stored within the database. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the well-known teaching into the invention of Kolling in order to provide means for adding and retrieving information necessary for providing accurate data to a user.

As per claim 6, Kolling discloses a biller integration system, which interfaces with an existing billing system of a biller, comprising:

a translator to convert billing data from the biller's existing billing system to a particular format (col. 8, line 40 – col. 13, line 67);

a statement designer to create a statement template for visually presenting the billing information in a customized arrangement that is determined by a biller (col. 8, line 40 – col. 13, line 67); and



a gateway to facilitate transfer of the statement template and the billing data to a billing service center and to monitor status of the statement templates and the billing data as they are transferred (central site switch 214).

However, Kolling does not disclose that the biller integration system comprises a parcel manager implemented as part of a gateway, the parcel manager creating a parcel to carry the statement templates and billing data and generating notifications to provide the status of the parcel as it is transferred. The Examiner asserts that a gateway is simply a computer that acts as a go-between two or more computers or networks that use the same or even different protocols. The Examiner takes Official Notice and asserts that it is well known to run applications on a computer. Also, the Examiner takes Official Notice and asserts that it is well known to bundle data into packets in order to facilitate the transfer of data from one computer to another. It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the parcel manager on the central site switch 214 of Kolling to bundle data since the central site switch 214 already receives both billing data and template data.

As per claim 7, Kolling discloses a biller integration system as addressed above. However, Kolling does not disclose that the parcel manager tracks the status of the parcel after the transfer is complete. The Examiner takes Official Notice and asserts that it is well known in the art of networking to use packet headers as means for checking the status of sent packets after transfer is complete. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the well-known teaching into the invention of Kolling in order to track parcels in case there is a need to update billing data.

As per claim 8, Kolling discloses a biller integration system as addressed above. Kolling further discloses a management console that supports a user interface where the management console interfaces with the gateway to present the status of the parcel as it is transferred (col. 10, lines 32-47). The Examiner observes that the central site switch 214 can act as both a gateway and a user console.

As per claim 9, Kolling discloses a biller integration system as addressed above. Kolling further discloses a parcel database to store information on the parcel (database file 410).

As per claim 10, Kolling discloses a biller integration system as addressed above. However, Kolling does not disclose that the translator, the statement designer, the gateway, and the parcel manager are embodied as software modules stored on a computer-readable medium. The Examiner observes the biller integration system as disclosed by Kolling comprises computers to perform the functions of the translator, the statement designer, the gateway, and the parcel manager. It is inherent that software modules for the translator, the statement designer, the gateway, and the parcel manager exist and are stored on a computer-readable medium.

Claims 11-14 claim the software program and functions necessary to carry out the invention as claimed by Applicant in claims 1-10. Thus, claims 11-14 are rejected upon the same grounds as claims 1-10.

Claims 15-18 claim the methods necessary to carry out the invention as claimed by Applicant in claims 1-10. Thus, claims 15-18 are rejected upon the same grounds as claims 1-10.

As per claim 19, the Examiner observes Applicant's claimed invention is performed using computers (claim 15, lines 1-2). The Examiner asserts that it is inherent that a computer

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program embodied on a computer-readable medium must exist in order to perform the steps in the method as recited in claim 15.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Kailash provides for background information concerning TCP/IP.
- Eckart et al. provide for background information concerning bundling data into packets.
- Slutz et al. provide for background information concerning database management.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie K. Nguyen whose telephone number is 703-306-5540.

The examiner can normally be reached on Monday-Friday, 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-9051 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Leslie K. Nguyen  
November 3, 2000

  
TARIQ R. HAFIZ  
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